

[Dkt. Ent. 52]

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE

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COALET LOWE,  
Plaintiff,  
v.

MEDCO HEALTH SOLUTIONS OF  
WILLINGBORO, LLC.,  
Defendant.

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: Civil Action No.  
: 10-4823 (RMB/AMD)  
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: **ORDER**  
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THIS MATTER coming before the Court upon a motion for summary judgment by Defendant; and

THE COURT having considered the moving papers, as well as those submitted in opposition and reply, and all accompanying materials; and

FOR THE REASONS set forth in the Opinion issued herewith,  
IT IS on this 27th day of April 2012, hereby

**ORDERED** that the Court **denies** Defendant's motion for summary judgment with respect to Counts I and II, and **reserves** on Defendant's motion for summary judgment as to Count III and Plaintiff's request for punitive damages; and it is further

**ORDERED** that in the event Plaintiff chooses to pursue Claim

III, he shall file clarify the theory upon which he seeks to hold Medco liable for retaliation on or before **May 11, 2012**, and in the event Plaintiff does not file such a clarification, the Court shall deem this claim abandoned; and it is finally

**ORDERED** that in the event Plaintiff pursues Claim III and submits such clarification, the parties shall file supplemental briefing identifying the relevant facts and the propriety of Medco's liability on or before **June 11, 2012**.

s/Renée Marie Bumb  
RENÉE MARIE BUMB  
UNITED STATES DISTRICT JUDGE